



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/803,738	03/12/2001	Hiroshi Ohmura	Q63460	8684

7590 06/28/2005

SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, DC 20037-3213

EXAMINER

GARCIA, GABRIEL I

ART UNIT	PAPER NUMBER
----------	--------------

2624

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/803,738

Applicant(s)

OHMURA ET AL.

Examiner

Gabriel I. Garcia

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 07 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Part III DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

- A person shall be entitled to a patent unless -
- (e) the invention was described in-
 - (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
 - (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Hollstrom et al. (6,763,247).

With regard to claim 1, Hollstrom et al. teaches a printing method (reads on fig. 1) in which a portable communication terminal (1) to a printer (30), and image data (col. 3, line 49 thru col. 4, line 47) of an image stored (220, and/or 220 or 230) in the portable communication terminal (1) is inputted to the printer, which prints the image wherein: a displaying device (13) of the portable communication terminal displays the image; and the displaying device displays print information for printing the image to also work as a displaying device of the printer when the print information is inputted (e.g. col. 3, line 49

Art Unit: 2624

thru col. 4, line 47, and col.6, lines 1-46), and the portable communication terminal directly connects to the printer (reads on col. 3, lines 39-62, clearly the RS232 interface connection allow the telephone to connect directly to any device such as the printer).

With regard to claims 2-4, Hollstrom et al. teaches wherein the image data is obtained from another apparatus or obtained by a camera (50) function of the portable communication terminal, with a control device of the portable communication terminal also works as a control device for inputting the print information to the printer (e.g. abstract, col. 3, line 49 thru col. 4, line 47, and col.6, lines 1-46).

With regard to claim 5, Hollstrom et al. teaches wherein the print information includes at least one of the number of prints, zooming information, trimming information, brightness, chromaticity information and print start (e.g. col. 6).

With regard to claims 6-9, the limitations of claims 6-8 are covered by the limitations of claims 1-5 above; and Hollstrom et al. further teaches the communication device (1) and the first connecting device that is connected to a printer and second device (see fig. 1).

With regard to claim 10, Hollstrom et al. inherently teaches the print medium is an instant print film and the printing device comprises a light emission head that exposed the instant film according to the print information and a spread device that spreads developer in the instant print film exposed by the light emission head (e.g. col. 4, the ability of printing pictures, allows the printing device to print on film exposed by the print head having different colors that are exposed into the film).

With regard to claims 11-12, Hollstrom et al. inherently teaches wherein the portable communication terminal is disposed or inserted in a recess of the printer (e.g. abstract,

Art Unit: 2624

col. 3, line 49 thru col. 4, line 47, and col.6, lines 1-46, by allowing the user(s) to control the operation of the printer).

With regard to claims 13-15, the limitations of claims 13-15 are covered by the limitations of claims 1-10 above.

Conclusion

3. Applicant's arguments filed 2/7/05 have been fully considered but they are not persuasive. With regard to Applicant's argument that Hollstrom does not teach the portable communication terminal directly connecting to the printer. Examiner asserts that Hollstrom teaches the portable communication terminal directly connecting to the printer (reads on col. 3, lines 39-62, clearly the RS232 interface connection allow the portable telephone to connect directly to any device such as the printer, by allowing wired connection the portable device can connect directly to the printer).

With regard to Applicant's argument that Hollstrom does not teach the print film exposed by the light emission head and using the spread device that spreads developer in the instant film exposed. Examiner disagrees with Applicant's conclusions. Examiner asserts that Hollstrom teaches the print film exposed by the light emission head and using the spread device that spreads developer in the instant film exposed head (e.g. col. 4, the ability of printing pictures, allows the printing device to print on film exposed by the print head having different colors that are exposed into the film, it is well known in the art of printing that printers which allow users to print pictures use light emission heads and spreading toners to develop or exposed images into a film).

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Gabriel I. Garcia** whose telephone number is (571) 272-7434. The examiner can normally be reached Monday-Thursday from 7:30 AM-6:00 PM. The fax phone numbers for this group is (703) 872-9306.

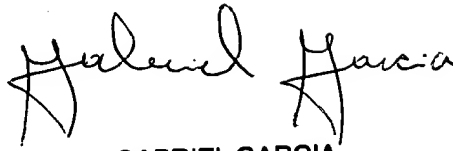
Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571)272-2600.

Application/Control Number: 09/803,738

Page 6

Art Unit: 2624

Gabriel I. Garcia
Primary Examiner
June 20, 2005

A handwritten signature in black ink, appearing to read "Gabriel Garcia", written in a cursive style.

GABRIEL GARCIA
PRIMARY EXAMINER